

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00200-RJC-SCR

USA

v.

XAVIER TWANNE HARDIN

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ORDER

THIS MATTER is before the Court upon the fourth motion of the defendant pro se for a sentence reduction under 18 U.S.C. § 3582. (Doc. No. 95).

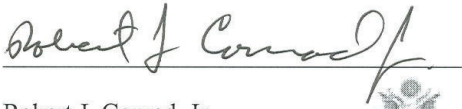
The Court denied the defendant's previous motions for a sentence reduction under § 3582, (Doc. Nos. 67, 68, 78, 82), finding that the defendant would pose a danger to the community upon his release; thus, his release would be inconsistent with the Sentencing Commission's policy statement, USSG §1B1.13(2), (3), comment. (n.1), and inconsistent with the need for the sentence to protect the public from further crimes of the defendant, 18 U.S.C. §§ 3553(a)(2)(C), 3582(c)(1)(A). (Doc. No. 73: Order at 5).

The information in the instant motion, including the death of his grandmother and youngest child; the hardship of being incarcerated during the COVID-19 pandemic; and amendments to the guidelines, (Doc. No. 95: Motion at 7-8), is insufficient to overcome the Court's previous dangerousness determination. Accordingly, the Court will not exercise its discretion to reduce the defendant's sentence.

IT IS, THEREFORE, ORDERED that the defendant's motion, (Doc. No. 95), is **DENIED**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: August 1, 2024

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

